IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

CRIMINAL APPLICATION NO. 2057 OF 2007

Nandkumar Kashinath Bhosale
and others. ... Applicant.

V/s.

The State of Maharashtra. ... Respondent.

N.V.Sawant for the applicant.

S.S.Pednekar, APP for the State.

CORAM: V.C.DAGA, J.

DATED: 24th July 2007.

P.C.:

. Heard learned counsel for the applicant and learned A.P.P. for the State.

2. This application is for bail. The applicants have been arrested in connection with C.R.No.I-163/2006 registered with Ambarnath Police Station for the offences punishable under sections 392, 342, 452 read with section 34 of Indian Penal Code and section 3 and 25 of the Arms Act. The zerox copy of the identification parade panchanama drawn in C.R.No.I-163/2006 is produced on record. It is clear from the identification parade panchanama that the applicants were not identified. Apart from that, in

spite of expediting the trial, only one witness has been examined. The complainant is also absconding or rather not traceable. Almost for more than one year the applicants are in custody. In these circumstances of the case, I am inclined to grant bail in favour of the applicants, subject to the following conditions:

(a) The applicants, arrested in connection with C.R.No.I-163/2006 registered with Ambarnath Police Station shall be enlarged on bail in the sum of Rs.25,000/- each with one or two local sureties to make up the said amount.

(b) The applicants shall report to the Ambarnath Police Station once in a week, i.e. on every Monday between 3.00 to 5.00 p.m. till conclusion of the trial.

(c) The order of bail will be given effect only after the applicants furnish to the investigating officer the details about their places of residence and addresses where they propose to stay after they are enlarged on bail. The applicants will not change their residential address thereafter till the conclusion of trial without prior intimation

to the investigating officer.

(d) The applicants shall not directly or indirectly, make any inducement or threat or pressurise any prosecution witnesses and shall not in any manner tamper with the prosecution evidence.

(e) The applicants shall co-operate with the investigating agency for disposal of the case. It is needless to mention that breach of any of the conditions by the applicants shall result in cancellation of bail.

(f) Any observation made in this order shall not be construed as finding or expression on merits of the case at the time of trial.

3. Application stands disposed of accordingly.

JUDGE